IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 28TH MAY 2007 / 7TH JYAISHTA 1929

WA.No. 1176 of 2007()

{IN W.P.(C)NO.31315/2006 OF THIS COURT}
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APPELLANT:

M/S.SRIRAM INVESTMENTS LTD.,
160-A/31, 2ND FLOOR, LAND MARK,
CENTRE, OPP.NEW BUS STAND,
KASARAKODE.

BY ADVS. SRI.P.SANJAY
SRI.A.PARVATHI MENON

RESPONDENTS:
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1. GANESH PRASAD, AGED 28 YEARS,
S/O.NARAYANAN, R/AT SANTHYA NIVAS,
KUDLU VILLAGE, R.D.NAGAR POST,
KASARKODE DISTRICT.

2. REGIONAL TRANSPORT AUTHORITY,
KASARKODE.

3. SECRETARY, REGIONAL TRANSPORT
AUTHORITY, KASARKODE.

R2 & R3 BY SENIOR GOVERNMENT PLEADER SRI.M.R.SABU
R1 BY ADV.SMT.R.PADMAKUMARI

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 28/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

W.A. No.1176 of 2007

Dated this, the 28th day of May, 2007.

JUDGMENT

H.L. DATTU, C.J.

The appellant, being aggrieved by the order passed by the learned single Judge in W.P.(C)No.31315/06 dated 8th February, 2007, is before us in this appeal.

2. At the time of admission, learned counsel appearing for the appellant would submit that the learned single Judge, without hearing the appellant viz., the 3rd respondent in the writ petition, has passed the order. In our opinion, the appellant need necessarily make an appropriate application before the learned single Judge either for recalling the order passed on merit or for review of the order.

When that remedy is available to the appellant, in our opinion, the appeal need not be entertained for the present. Accordingly, the appeal is rejected. However, liberty is reserved to the appellant to make an appropriate application before the learned single Judge for appropriate relief. Ordered accordingly.

Sd/-
H.L. DATTU,
CHIEF JUSTICE.

Sd/-
K.T. SANKARAN,
JUDGE.

Sk/

//true copy//

P.S. To Judge